

November 13, 2007

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Delaware Public Service Commission
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Dover DE 19904

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DELAWARE P.S.C.
Jennifer W. Davis, Director
Office of Management & Budget
Haslet Armory, Third Floor
122 William Penn St.
Dover DE 19901

John Hughes, Secretary
Delaware Department of Natural
Resources
89 Kings Highway
Dover DE 19901

Russell T. Larson
Controller General
P.O. Box 1401
Legislative Hall
Dover DE 19903

Dear Chair McRae & Commissioners, Director Davis, Secretary Hughes and
Controller General Larson:

Please file these comments in the public record for PSC Docket No. 06-241 and
distribute to the above-named persons. Thank you.

DPL Pace Report (November 9, 2007):

During the February, 2007, public hearings before the Public Service
Commission, I asked for a change in our basic assumptions about energy and
the environment. The old paradigm for fossil fuel generation held that the
environment could be abused and neglected freely in order to meet our energy
needs. Global pollution, with resulting disease and death, was the price we all
had to pay. Hidden costs included high health care costs, increasing
dependence on foreign oil, unstable fuel supplies, environmental costs, and
rising consumer costs for everything from gasoline to food.

The new paradigm recognizes that the development of new large-scale,
environmentally safe, and renewable energy sources is essential for the survival
of the planet. Under the new paradigm, risk of development and higher up-front
costs must be managed in order to bring large-scale, renewable, and affordable
clean energy to local markets. Under the new paradigm, large-scale, non-
polluting, Delaware offshore wind energy offers long-term stable pricing, reduced
pollution, improved public health and enhanced national security.

The Agencies' approval of PSC Staff's recommendations on May 8, 2007, set the
standard nationally for bold, responsible, and responsive action under the new
paradigm.

In record time, dozens of risky, costly coal gasification proposals were rejected around the country.

But like stubborn mules in the road, Delmarva Power/Pepco Holdings, Inc. and its political allies remain planted in the road, blocking progress. They refuse to move forward, sideways or out of the way, in accord with PSC orders and the overwhelming public mandate for offshore wind. The Pace report incorrectly frames the argument by applying old paradigm assumptions (ie., for fossil fuels, long term contracts can't be done because profits must adjust to ever-increasing and unstable costs) in order to defeat the new paradigm proposal for offshore wind.

Point One:

DPL's Pace Report hypothesizes an "expected Green Premium" for the Bluewater Wind project above a "comparable PJM benchmark." Immediately, we see the improper application of "old paradigm" assumptions, since the "comparable PJM benchmark" includes traditional costs for coal and natural gas. Under the new paradigm, Bluewater Wind has reduced its profits in order to bring a new generation supply resource into the PJM market. It is also shouldering risk which has been passed through to the ratepayer under the old paradigm tradition.

Bluewater Wind has made a clear and clean offer to SOS ratepayers: (1) Depending on the backup plan, we will charge you \$6.76-8.06/MWh for wind power for 25 years plus a 2.5 annual inflation factor, levelized over the contract term. (2) We will not begin charging you for electricity until our turbines deliver electricity to you. (3) If we fail to build our project as promised, we stand to lose security deposits to DPL of up to \$68,000,000.

That is the deal offered – with no commodity or currency escalators. Delmarva Power negotiated huge payments in compensation if the project does not go forward as promised. But when Bluewater Wind said, "We are ready to sign," DPL said, "We won't."

The Pace Report frightens the reader with a root assumption on Page 1 that applying a phantom "green premium" is a good idea "due to the significant rate instability introduced by the BWV project which would be borne by the SOS customer base over the contractual term." To me, this looks like a phrase lifted in error from Pace's LIPA report. In the LIPA proposal, developer Florida Power & Light hid escalating costs from the public. The LIPA project was doomed to fail, because the 40 turbine wind farm proposed was too small to meet economies of scale. The cozy relationship between the LI power utility and the Florida power utility developer led to deception of the public, and ultimate failure.

In contrast, BWV offers long-term rate stability starting in 2014, with no hidden escalators. Delmarva Power and Pace completely ignored BWV's November 6, 2007, Response to the PSC staff report, where BWV locks in its price to the consumer for 25 years, confident of its ability to absorb risk and deliver on its promises.

Understandably, Pace hedges its bets: "Pace's scope did not call for any recommendations on the suitability [that is, the validity and relevance] of the Green Premium or other risk factors [to the Bluewater Wind project]." Page 1 (Underline and brackets added).

Conclusion? DPL urges a hypothetical, huge risk which even Pace can't support as legitimate. There you have it. As their most compelling lead argument, Delmarva Power relies on a phantom "Green Premium" threat with no relevance to BWV's proposal.

Point Two:

Characteristics of large-scale utility renewable power generation are high initial cost and low long-term levelized cost. This is part of the new paradigm. Innovation requires greater risk to be borne by the developer, not the ratepayer. Bluewater Wind and Babcock & Brown recognize this. SOS customers will receive tremendous environmental and health benefits when they receive the first portion of their energy supply from Delaware's offshore wind resource. The ratepayer won't pay a cent until the turbines churn power for them.

What risk does Delmarva Power bear if the BWV project never churns a kilowatt? The failed negotiation with DPL provided that BWV would deliver no more than 30% of DPL transmission to SOS ratepayers. Another provision said that if the offshore wind project is not built, DPL could receive upwards of \$68 million in penalties from Bluewater Wind – and Delmarva gets to go to its favored "open market" for more energy.

Point Three:

What about customer "migration?" Pace says, "Acceptance of the BWV Project forces upon the SOS customer a material price increase." Page 20. Wrong! An increase of \$5-6.00/Mw over 25 years, plus 2.5 annual inflation, is hardly material in today's energy world. However, a jump in 2007 OPEC oil prices from \$65/barrel to \$96/barrel in less than six months is a material price increase. And the average increase of 10% per year for DPL SOS customers in their utility bills over 6 years (1999-2005) is a material price increase. By the time the BWV project is completed in 2014, we may anticipate even greater costs for the remaining 70% fossil fuel portion of SOS customer bills.

The second part of Pace's dire warning about "customer migration" says, "the impact of the price escalators could force an exponential price increase upon the existing SOS customer base." Page 20. Wrong again! BWV took the price escalators off the table last week. With a competitive and extremely reasonable "locked in" ratepayer price, customer migration is an extremely unlikely scenario.

There was very little customer migration after DPL raised its rates 59% in 2006. Further, HB6 authorizes the PSC to step in if there is high migration after the wind farm is built.

Point Four:

What about risk of loss of the Production Tax Credit? Is this a realistic concern?

The answer is no. Given the federal government's announcement last week recognizing 1) the massive offshore energy potential in the Atlantic, 2) the advantages for national security of its development, and 3) the fed's intention to accelerate MMS regulations to promote offshore wind, it is highly unlikely that PTCs will go away for the BWV project.

Point Five:

No one can fairly demand that Bluewater Wind guarantee no supplier delays. In this case, the risk is borne by Bluewater Wind and its international parent, Babcock & Brown, not the ratepayer. Babcock & Brown is one of the largest wind developers in the world, managing over \$52 billion in assets with financing resources well beyond the \$2 billion construction cost of the BWV project. They acquired Bluewater Wind with full knowledge of the risks and full confidence in the project. In negotiations, Delmarva Power demanded and received major financial concessions in the event of delays in rules regulations or supplier delays. BWV investors want to make money, not lose it in production delays. I am confident the company will do everything in its power to deliver the project on time.

There is no such thing as energy innovation with no risk. On May 8, 2007, the Agencies and the people spoke with one voice: Manage the risk, don't run from it. The people of Delaware are ready, willing and able to take on some risk to reduce fossil fuel pollution, massive utility cost increases, coal/gas price instability, overwhelming health costs and risks to the very survival of our country from dependence on foreign oil.

If Delmarva Power is truly concerned about customer migration, they should look to their corporate policies and think about all the customers who will leave DPL for Washington Gas and Electric if DPL succeeds in killing the offshore wind proposal. The public has lost patience with the obstructionists in the road.

The Public Advocates' Responsive Comments to Staff Report II (November 13, 2007)

I was disappointed and surprised by the Public Advocate's assertion in Paragraph 7, Page iii, that only "several dozen members of the public spoke" at the numerous public hearings throughout the state, "or filed written comments ... to express their views." In reality, the magnitude of public involvement in this RFP was precedent-setting for the Commission. According to the Public Service Commission, over 700 pages of public testimony were recorded from 12 hours of hearings around the state. The Commission heard from more than just "several dozen" speakers and read more than a few dozen comments. I attended all but one of the hearings held around the state. My witness is that the number of speakers, pro and con, totaled at least a hundred. Hundreds more sat and listened. In addition, thousands of letters and emails were received in the public record of the RFP Docket. Thousands more emails, letters and telephone calls went to the Governor, members of the Delaware Assembly, and to media throughout the state. By all accounts, public support for the Bluewater Wind project was unprecedented and overwhelming. It confirmed the 2006 study by Kempton et al, showing that the majority of Delawareans were willing to pay extra for offshore wind.

Then, I was stunned to read the Public Advocate's charge that the Public Service Commission "denied our statutory right to be heard" on May 8, 2007 when the DPA appeared before the Commission. Responsive Comments, Paragraphs 10-12, Pages iv-v. The May 8, 2007 Transcript shows that the DPA was ably represented by Public Advocate John C. Citrolo. Mr. Citrolo entered ten pages of testimony in response to the Staff's recommendations. In his testimony, Advocate Citrolo praised the Bluewater Wind project, but also requested consideration be paid to spreading any stranded or migration costs across all ratepayers in the state. Transcript, May 8, 2007, PSC Docket 7-20, Pages 1666-76.

Public Advocate Citrolo lauded the RFP process set forth in HB6: "We have concluded and ask you to recognize that the current process is serving the public interest. However, it certainly makes sense under the IRP section of the statute, the Integrated Resource Plan, to look at long-term environmental benefits, system adequacy for Delaware, and a mix in our fuel source." Transcript, Page 1672. On May 8, 2007, the Public Advocate did not call for an end to the RFP process until an IRP could be completed. He did not demand revision of HB6. He did not demand a spread of costs across the state. Indeed, Mr. Citrolo noted that the concerns about stranded costs were mitigated somewhat due to the involvement of municipal utilities in the wind project. Transcript, Pages 1673-74.

Mr. Citrolo summed up the Public Advocate's position as follows:

"Thus, we are asking [if?] a new generation should be considering response to adequate concerns to deliver power to Delaware customers, ... diversify Delaware's fuel mix, and bring long-term environmental benefits to Delaware. In view of that, only one bid can be considered, and that's the bid submitted by BluewaterWind. It's the only renewable source that will diversify our current fuel mix of almost 90 percent coal and nuclear and bring the long-term environmental benefits to Delaware, I mentioned that earlier perhaps looking out beyond past 25 years."

Transcript, May 8, 2007, Page 1672.

In conclusion, Mr. Citrolo urged the Agencies to move ahead on the RFP without further delay: "We don't see any further insight that could be gained by waiting and just urge you to go ahead and make the determination quickly." Transcript, Page 1676.

It is simply wrong for the Public Advocate's Office to claim six months later that they were denied their statutory right to be heard.

I am very saddened to see disinformation set forth as fact in the Public Advocate's Responsive Comments.

I also note that the Office of the Public Advocate did not file a request for reconsideration following the May 8, 2007 hearing or issuance of the final Order on May 22, 2007. It seems to me that, for that reason, they have waived their right to protest the May 22, 2007, Order at this time.

I intended to review the report attached from the Columbia Group, Inc. with a close eye. Like the Pace report, it incorrectly applies "old paradigm" thinking to a "new paradigm" project (see my commentary on the Pace report above), ignoring Bluewater Wind's removal of commodity/currency escalators, its assumption of risk well beyond that of traditional fossil fuel power generation projects, and its formidable financial standing due to the recent acquisition by Babcock & Brown.

However, the predicates set forth in the Public Advocate's Responsive Comments are so misleading, so reflective of a lack of knowledge and respect for the majority of the public's views, that the remainder of the report has been tainted beyond all redemption.

Until a few days ago, I had trust and confidence that the Public Advocate was working for all the public for the greater good. However, this dramatic misinterpretation in the introductory pages of the Public Advocate's report should color any readers' confidence in the facts going forward.

Respectfully submitted,
Patricia E. Gearity
P.O. Box 96, HANBURN DE 19951

Enclosed please find some letters of support for the wind farm from the medical community of Sussex County. (Several doctors previously signed, but we failed to have them label themselves as medical personnel.)

Thanks, Kit Zak
Citizens for Clean Power

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07 NOV 13 AM 11:12
DELAWARE P.S.C.

17

November 2, 2007

The Honorable Jennifer Davis
Director, OMB
Haslet Building
Dover, DE 19901

Russ Larson
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Dover, DE 19901

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Secretary, DNREC
89 Kings Highway
Dover, DE 19901

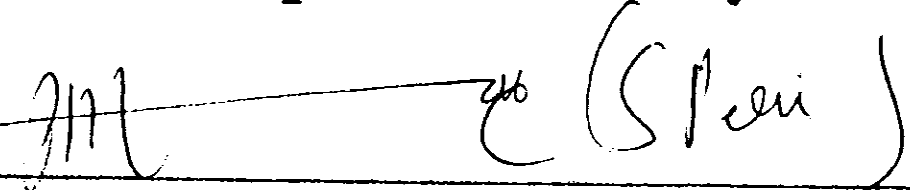
Arnetta McRae
Chair, Delaware PSC
861 Silver Lake Blvd
Dover, DE 19904

Dear Director Davis, Secretary Hughes, Controller General Larson and
Chairwoman McRae:

**I support the off-shore Blue Water Wind Farm and I
thank you for your previous endorsement.**

**I strongly urge you to direct the PSC to sit down as soon
as possible to negotiate a satisfactory compromise which
will lead to the development of the Blue Water Wind
Farm.**

I would appreciate a response. Thank you.

Signature 

Print Name SRIHARI PERI M.D.

Address TCC Hunnell Center

Leves, DE
19958

November 2, 2007

The Honorable Jennifer Davis
Director, OMB
Haslet Building
Dover, DE 19901

Russ Larson
Controller General
Legislative Hall
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I would appreciate a response. Thank you.

Signature Catherine Ward RN

Print Name Catherine Ward

Address 36365 Tarpon Dr
Lewes, DE 19958

November 2, 2007

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Director, OMB
Haslet Building
Dover, DE 19901

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Signature Robert Ward RN

Print Name Robert Ward

Address 36365 Tarpon Dr

- Lewes De 19958

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Director, OMB
Haslet Building
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Signature

W. R. B. R. N.

Print Name

Print Name MARY COUETTE

Address

Address 35586 SUSSEX LANE

MILLSBORO, DE - 1996

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Signature

Mary L. Van Bergen

RN

Print Name

Mary L. Van Bergen

Address

17109 Turtle Hill Rd

Milford, DE 19963

November 2, 2007

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Signature Isabel Benson *IB*

Print Name Isabel Benson

Address 23 Fairway Dr
Rehoboth, DE 19971

November 2, 2007

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Director, OMB
Haslet Building
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Signature

Linda M. Wright phlebotomist

Print Name

LINDA M. WRIGHT

Address

26993 John J. Wms Hwy
Millsboro, De
19966

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Signature Lucy Ositko *R N*

Print Name Lucy Ositko

Address Rehoboth Beach DE 19971

November 2, 2007

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Signature

Lori Belate, esq. RN

Print Name

Lori Belate, esq.

Address

*2 Bryan Drive,
Rehoboth Beach, DE*

19971

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Signature

Sharyn Luzier RN

Print Name

SHARYN LUZIER

Address

29175 S. OAK DR. EXT.

MILLSBORO, DE 19966

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Rebecca Forney RN

Print Name

Rebecca Forney

Address

114 School Lane Lewes DE

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Signature

Clare Wilson RN

Print Name

Clare Wilson

Address

33120 N. Village Loop

#2305

Lewes, De 19958

November 2, 2007

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Signature

MM *Sten*

Print Name

SRIHARI PERI M.D.

Address

TCC Yumell Center
Lewes, DE
19958

6
Date 11/11/07**Delaware Public Service Commission**

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Department of Natural Resources

John Hughes, Secretary
89 Kings Highway
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Email: john.hughes@state.de.us

**WE NEED WIND POWER IN DELAWARE. LET'S BE THE
FIRST STATE TO PREVENT GLOBAL WARMING BY
PRODUCING OFFSHORE WIND ENERGY.**

Delaware can become the first state to build offshore wind power.

Opponents of wind energy want to stop the Bluewater Wind project.

We want our State Government to complete the agreement and make wind power a reality now in Delaware.

Here's why we need wind power in Delaware:

The Bluewater offshore wind power project will produce 13 percent of Delaware's electricity. This energy is clean, safe, independent, non-polluting, non-greenhouse gas emitting, economically stable, cost-efficient, and very dependable over the long-term. Generating offshore wind energy will help prevent the tragedy of global warming and keep our coastal areas from being flooded and destroyed. We won't need to go to war or pay \$90 per barrel for wind power. It will save Delaware citizens \$750 million on health care costs currently caused by air pollution from burning fossils fuels.

Very truly yours,
Name (s) _____

(CALLARD)

FRANCIS J. CALLARD

Address 9 MCINTOSH CT.

LEWES, DE 19958

Date 11-1-07**Delaware Public Service Commission**

Arnetta McRae, Chair
861 Silver Lake Blvd
Cannon Building, Suite 100
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Fax: (302) 739-4849
Email: arnetta.mcrae@state.de.us

Controller General's Office

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Email: john.hughes@state.de.us

**WE NEED WIND POWER IN DELAWARE. LET'S BE THE
FIRST STATE TO HELP PREVENT GLOBAL WARMING BY
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I support the offshore Bluewater Wind farm and I thank you for your previous endorsement.

I ask that you complete the agreement and make wind power a reality now in Delaware.

Here's why we need wind power in Delaware:

The Bluewater offshore wind power project will produce 13% of Delaware's electricity. This energy is clean, safe, independent, non-polluting, non-greenhouse gas emitting, economically stable, cost-efficient & very dependable over the long-term. Generating offshore wind energy will help prevent the tragedy of global warming & keep our coastal areas from being flooded & destroyed. We won't need to go to war or pay \$100 per barrel for wind power. It will save Delaware citizens \$750 million on health care costs currently caused by air pollution from burning fossil fuels.

Very truly yours,
Name (s) _____



DALL
PAM ~~XXXXXXXXXX~~

Address _____

Milford, DE

(Optional) Telephone/Email _____

November 2, 2007

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Director, OMB
Haslet Building
Dover, DE 19901

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I would appreciate a response. Thank you.

Signature

Gary W. Peterson

Print Name

GARY W. PETERSON

Address

32488 McCARY ROAD

FRANKFORD, DE 19945

Phone/E-mail

(optional)

ivanthevaluable23@hotmail.com

November 2, 2007

The Honorable Jennifer Davis
Director, OMB
Haslet Building
Dover, DE 19901

Russ Larson
Controller General
Legislative Hall
Dover, DE 19901

The Honorable John Hughes
Secretary, DNREC
89 Kings Highway
Dover, DE 19901

Arnetta McRae
Chair, Delaware PSC
861 Silver Lake Blvd
Dover, DE 19904

Dear Director Davis, Secretary Hughes, Controller General Larson and
Chairwoman McRae:

**I support the off-shore Blue Water Wind Farm and I
thank you for your previous endorsement.**

**I strongly urge you to direct the PSC to sit down as soon
as possible to negotiate a satisfactory compromise which
will lead to the development of the Blue Water Wind
Farm.**

I would appreciate a response. Thank you.

Signature

Jeffrey P. Cordiano

Print Name

JEFFREY P. CORDIANO

Address

720 RADIAL DRIVE

302-682-4624

Phone/E-mail

(optional)

Jeff_cordiano@yahoo.com

Date_____

Delaware Public Service Commission

Arnetta McRae, Chair

861 Silver Lake Blvd

Cannon Building, Suite 100

Dover, DE 19904

Fax: (302) 739-4849

Email: arnetta.mcrae@state.de.us**Controller General's Office**

Russell T. Larson, Controller General

PO Box 1401

Legislative Hall

Dover, DE 19903

Fax: (302) 739-3794

Email: russell.larson@state.de.us**Office of Management & Budget**

Jennifer W. Davis, Director

Haslet Armory, Third Floor

122 William Penn St.

Dover, DE 19901

Fax: (302) 739-5861

Email: jennifer.davis@state.de.us**Department of Natural Resources**

John Hughes, Secretary

89 Kings Highway

Dover, DE 19901

Fax: (302) 739-6242

Email: john.hughes@state.de.us

**WE NEED WIND POWER IN DELAWARE. LET'S BE THE
FIRST STATE TO HELP PREVENT GLOBAL WARMING BY
PRODUCING OFFSHORE WIND ENERGY.**

I support the offshore Bluewater Wind farm and I thank you for your previous endorsement.

I ask that you complete the agreement and make wind power a reality now in Delaware.

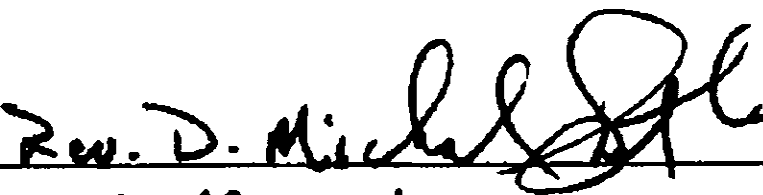
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The Bluewater offshore wind power project will produce 13% of Delaware's electricity. This energy is clean, safe, independent, non-polluting, non-greenhouse gas emitting, economically stable, cost-efficient & very dependable over the long-term. Generating offshore wind energy will help prevent the tragedy of global warming & keep our coastal areas from being flooded & destroyed. We won't need to go to war or pay \$100 per barrel for wind power. It will save Delaware citizens \$750 million on health care costs currently caused by air pollution from burning fossil fuels.

Very truly yours,

Name (s) _____

Address _____



REV. MICHAEL

SMITH

104 Nellie Lane

Milton, DE 19968

(Optional) Telephone/Email _____

Date _____

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Very truly yours,
Name (s) _____



LORA ZACHOW

Address _____

803 Talon Dr
Rehoboth Beach, De.

(Optional) Telephone/Email _____

410 707 3437

Date 11-11-07

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Very truly yours,

Name (s) Ursula Sabin Beaver-Kepner

Address P.O. Box 56, Milton, DE 19968-0056

(Optional) Telephone/Email ubeaverk@dtcc.edu



Delaware ACORN
Association of Community Organizations for Reform Now
408 E. 8th Street Wilmington, DE 19801
(302) 656-3699
deacorn@acorn.org
www.acorn.org

FAX

From: Angela Walker,
President ACORN

TO:
Arnetta McRae,
Chair Public Service Commission

Russell T. Larson,
Controller General

Office of Management and Budget
Jennifer W. Davis,
Director

Department of Natural Resources
John Hughes, Secretary

**Delaware ACORN****Association of Community Organizations for Reform Now**408 E. 8th Street Wilmington, DE 19801

(302) 656-3699

ACORN@ACORN-DE.ORG**WWW.ACORN-DE.ORG**

ACORN (Association of Community Organizations for Reform Now) is filing the following comments pursuant to Order No. 7287 (DE PSC Docket Nos. 06-241 and 07-20, and the Commission Rules of Practice with the Commissioner Secretary, DNREC, OMB and the Auditor General in the matter of the PSC staff report. Copies will also be faxed to ensure arrival within the designated timeframe.

Dear Ms. McRae, Ms. Davis, Mr. Hughes, Mr. Larson,

This response is authored and submitted at the direction of the Delaware ACORN (Association of Community Organizations for Reform Now) membership and reflects the opinion of the entire Delaware ACORN membership numbering over 3,000 members in Delaware. ACORN not only advocates in the interests of the low to moderate income working families throughout the state, but its entire membership consists of low to moderate income families. The organization, by its bylaws, is run by the membership and represents the membership opinion and the best interest of the community.

Recently ACORN was approached by special interests to send a letter to the Public Advocate negatively portraying the proposed offshore wind project as not in the best interests of the community ACORN represents. After discussion, it was decided that the most honest and responsible way to generate a position would be to invite both interested parties to present their points of view. Bluewater Wind made a presentation on November 1st at Peoples Settlement in Wilmington. Delmarva Power presented on November 8th. Both presentations provoked much thought and raised many questions. At no time did ACORN membership consider anything other than a facts-based decision on where its support would fall.

The membership discussed the letter from the Public Advocates Office to the PSC separately from its decision process to support either or neither of the negotiating entities. For the record, ACORN feels that the Public Advocates Office actions are inappropriate and overreaching of its mandates. The timing of the DPA report seems to be out of order. The DPA hiring of an outside consultant (at what cost and *paid from whose coffer?*) does not seem appropriate.

It also appears that the DPA has one legal mandate and that is fairness of price. EURCSA sets forth several criteria, including price stability. The Public Advocate filing seems to attempt to "shoehorn" the several legal mandates in the RFP process into the single mandate of his office. But what ACORN questions most is the position the DPA seems to take in its posting that supports the Delmarva position of the status quo in future energy purchasing. If in fact this is in our interest, than how does the DPA, purporting to represent the best interest of the low to moderate income families, explain page VI footnote 9 stating that 25,000 consumers are currently in arrears with Delmarva under the



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FAX

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President ACORN

TO:
Arnetta McRae,
Chair Public Service Commission

Russell T. Larson,
Controller General

Office of Management and Budget
Jennifer W. Davis,
Director

Department of Natural Resources
John Hughes, Secretary

current (status quo) mechanism? How can the DPA accept home energy affordability gaps that are constantly growing (most recent rate increases of 27% Natural Gas- 59% Electric) under the Delmarva SOS rate structure that will be the status quo? Currently a typical household in Delaware has a Home Energy Burden of 25% of the gross household income for utilities in a household that earns between 75%-99% of the federal poverty level. That number grows to over 65% of household income to pay for home energy in households below 50% of the federal poverty level. Two years ago, before the most recent, outrageous Gas and Electric price hikes, Delmarva instituted over 1400 shutoffs for inability to pay utility bills. This resulted in a substantial number of evictions, as required by law when utilities have been shut off. These numbers did not appear overnight. They will continue to worsen in the next 30 years if we are foolish enough to believe that fuel prices (natural gas, coal, oil etc.) will flatten or stabilize.

ACORN has followed the issues of utility affordability, outrageous rate increases and the devastating effect of maintaining the status quo. It has listened intently to the discussions and educated its members on the facts and the harsh realities. It did not rely on twisted and misleading attempts to distort the truth nor the propaganda of fear that has been thrust into the discourse. ACORN members and the families it represents have lived the harshness of reality and have faced the fear every cold and sometimes dark night.

ACORN assessment of the proposals is grounded in logic and reality. The consensus arrived at by its membership is that Bluewater Wind Offshore proposal provides the only legitimate chance for long term price stability and the opportunity to make household energy affordable to everyone. The additional benefits of a cleaner and healthier environment is icing on that cake. We insist that, in the interest of the low to moderate income working families, the seniors on fixed incomes and all the residential consumers of energy in Delaware, the PSC, OMB, Controller General and DNREC allow *and encourage Bluewater to complete negotiations directly with the PSC staff*, so that we might benefit from a lower, affordable price that will come as a result of building the Bluewater Windfarm.

ACORN (Association of Community Organizations for Reform Now) is filing the following comments pursuant to Order No. 7287 (DE PSC Docket Nos. 06-241 and 07-20. And the Commission Rules of Practice with the Commissioner Secretary, DNREC, OMB and the Auditor General in the matter of the PSC staff report. Copies will also be faxed to ensure arrival within the designated timeframe.

Sincerely

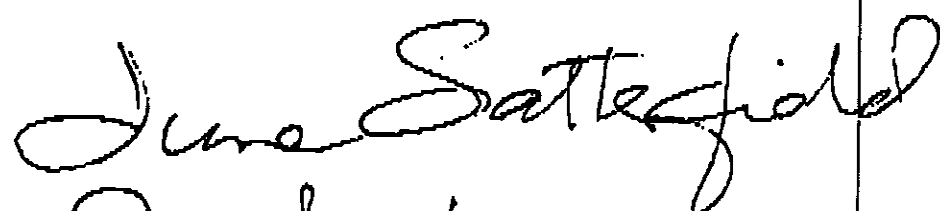
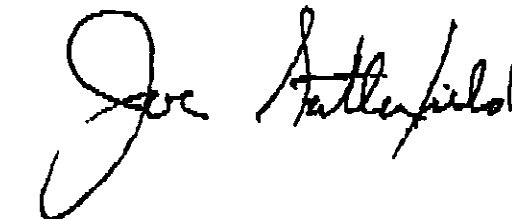
Angela Walker
President of Delaware ACORN

Public Comment on IC's report to DPSC re: Wind Power
November 12, 2007

To the Governor of Delaware, the Controller General, the Secretary of Natural Resources, the Director of the Office of Business and Management, and the all the members of the Delaware Public Service Commission,

After the recent compromises made by Bluewater Wind in their good faith effort to negotiate with Delmarva, I am even more convinced that the installation of a wind farm off the coast of Delaware is an exceptional opportunity for our citizens to have a healthier, more price secure, and economically viable power industry. Using wind to generate power is a shift in more than just energy *source*. It is a shift in thinking and behavior. We are finally acting on the knowledge that we all have a responsibility for the health of our people and our environment, and that corporate profits, as measured in dollars, are neither the truest nor best measure of profitability.

June and Joe Satterfield
54 Lakeview Drive
Smyrna, DE
and
99 Oakwood St
Bethany Beach, DE

Ms. Arnetta McRae of the Delaware Public Service Commission,

I support the installation of a wind park off the coast of Delaware. It is economically, environmentally, and socially the best choice to meet our renewable power needs.

Name and address:

H. Diana Kupich 2680 Bowers Beach Rd Frederica, DE 19946
Dr. Sig. Giovanna Siriphanu 5482 Hwy Point Ledge Smyrna 19977
Deanna J. Matthews, 187 Britney Ln. Haverly, DE 19953
Susan Davis 4 Virden Lane HARBESON 19951
Nekorah Peoples, 131 Roundabout Trail, Camden, DE 19934
Jo Anne Freed 135 S. Shore Dr. Dover DE 19901
Eric R. Boine ERIC R. BOINE 4 VIRDEN LANE HARBESON DE 19951
Phillip R. Boine PHILLIP R. BOINE 2108 BARRATT CHASE LRD FELTON DE 19943
Carol Heinrich 36 Storey Drive Dover DE 19904
Sally Boswell 69 Sussex Dr. Lewis DE 19958
Meltrude P. Harvey 402 Eagle Nest Dr. Camden DE 19934
Laura Drew Kelly 109 Stuart St Dover, DE 19904
Rand A. Spohn 4744 Halsey Ave. Shawnee KS 66216
Gloria Angstar 34 PENWOODS DRIVE, Dover DE, 19904
Linda J. Simpson 30255 DOWENESS RD MUTTON, DE 19968
Laura Drew Kelly 109 Stuart St. Dover, DE 19901
Rand A. Spohn 4744 Halsey Ave. Shawnee KS 66216
Roger P. Allen DC 33 Blomquist Ct. Dover DE 19904
Robert Bonilla 2300 W. 17th St. Apt 3, Wilmington DE 19806
Virginia Budd 803 S State St Dover 19901

**Ms. Arnetta McRae of the Delaware Public Service
Commission,**

**I support the installation of a wind park off the coast
of Delaware. It is economically, environmentally,
and socially the best choice to meet our renewable
power needs.**

Name and address:

Michael J. Miller 1649 N. TAYLOR DR DOVER DE 19901
Michael Miller 19884 Sea Oak Ave Rehoboth Beach DE 19970
Gene E. Enders 803 S State St Dover DE 19901
Phil Stumpf 2300 W. 17th St. Apt 3 Wilmington 19806
Thomson Beaton 1603 Andrews Lake Rd. Felton DE 19943
Sally Brown 2108 Barrett Chapel Rd Felton DE 19943
Alison Richards 3390 Walnut Shade Rd. Camden DE 19934
Elizabeth C. Jose 1649 N. Taylor Dr. Dover, DE 19901
Michael & Richards 3390 Walnut Shade Rd. Camden DE 19934
Jane Satterfield 54 Lakeview Dr. Smyrna DE 19977
Jane Shute 959 Boggs Drive Dover, DE 19901

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5 Deerfield Lane

Nov. 8, 87

Rehoboth Beach, DE 19971

Rel. Public Service Commission
Sub. Blewates Wind

We urge your body to take the lead to accept the Blewates Wind Proposal to provide electricity for public use. The sooner we can receive electricity from wind power the sooner we can rid ourselves of the pollution from fossil fuel generation.

G.E. has many new developments & equipment for wind generation... wind appears a strong system for future generations. Europe & other plants of the U.S. have been successful with its development, so Texas the cost is 8 cents per kilowatt-hour.

The Dutch system of generation of power via sea wave action is also viable for the next generation.

Let's get moving...

Willard F. Cronley
Eileen M. Cronley

Date _____

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Blvd
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Dover, DE 19904
Fax: (302) 739-4849
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Email: john.hughes@state.de.us

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Very truly yours,

Name (s) _____

Jim Lesko

Address _____

16693 Blue Marlin Ct

Lewes DE 19958

(Optional) Telephone/Email _____

Date _____

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Very truly yours,

Name (s) _____

Ed Mears

ED MEARS

Address _____

~~1111~~ ELLENDALE DE 19941

(Optional) Telephone/Email _____

Date 11/11/07

Delaware Public Service Commission

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Delaware can become the first state to build offshore wind power.

Opponents of wind energy want to stop the Bluewater Wind project.

We want our State Government to complete the agreement and make wind power a reality now in Delaware.

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Very truly yours,

Name (s) Amber Peterson (PETERSON)

Address Amber Peterson 32488 McCary Rd
Frankford DE 19945

November 2, 2007

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Director, OMB
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Dover, DE 19901

Russ Larson
Controller General
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**I strongly urge you to direct the PSC to sit down as soon
as possible to negotiate a satisfactory compromise which
will lead to the development of the Blue Water Wind
Farm.**

I would appreciate a response. Thank you.

Signature

Gary W. Peterson

Print Name

GARY W. PETERSON

Address

32488 McCARY ROAD

FRANKFORD, DE 19945

Phone/E-mail

(optional)

ivanthelovable23@hotmail.com

Date _____

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Very truly yours,

Name (s) _____

Rev. D. Michael Smith REV. MICHAEL SMITH

Address _____

104 Nellie Lane
Milton, DE 19968

(Optional) Telephone/Email _____

Date_____

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The Bluewater offshore wind power project will produce 13% of Delaware's electricity. This energy is clean, safe, independent, non-polluting, non-greenhouse gas emitting, economically stable, cost-efficient & very dependable over the long-term. Generating offshore wind energy will help prevent the tragedy of global warming & keep our coastal areas from being flooded & destroyed. We won't need to go to war or pay \$100 per barrel for wind power. It will save Delaware citizens \$750 million on health care costs currently caused by air pollution from burning fossil fuels.

Very truly yours,
Name (s)_____



LORA ZACHOW

Address_____

803 Talon Dr

Rehoboth Beach, De.

(Optional) Telephone/Email_____

407 707 34 37

Date 11-10-07

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Blvd
Cannon Building, Suite 100
Dover, DE 19904
Fax: (302) 739-4849
Email: arnetta.mcrae@state.de.us

Controller General's Office

Russell T. Larson, Controller General
PO Box 1401
Legislative Hall
Dover, DE 19903
Fax: (302) 739-3794
Email: russell.larson@state.de.us

Office of Management & Budget

Jennifer W. Davis, Director
Haslet Armory, Third Floor
122 William Penn St.
Dover, DE 19901
Fax: (302) 739-5861
Email: jennifer.davis@state.de.us

Department of Natural Resources

John Hughes, Secretary
89 Kings Highway
Dover, DE 19901
Fax: (302) 739-6242
Email: john.hughes@state.de.us

**WE NEED WIND POWER IN DELAWARE. LET'S BE THE
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Very truly yours,
Name (s) _____

Address _____

Jake & Jenni Callard
9 McIntosh Ct
Lawes, DE 19958

(Optional) Telephone/Email _____

Date 11/11/07

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904
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Delaware can become the first state to build offshore wind power.

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We want our State Government to complete the agreement and make wind power a reality now in Delaware.

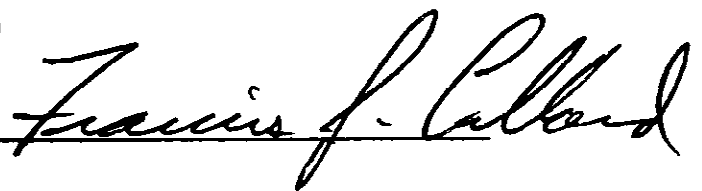
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Very truly yours,
Name (s) _____

(CALLARD)

FRANCIS J. CALLARD



Address 9 MCINTOSH CT.
LEWES, DE 19958

Date 11/11/07

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Blvd
Cannon Building, Suite 100
Dover, DE 19904
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Very truly yours,

Name (s) Janice W. Clark

Address 14134 Union St. Ext

Milton, DE 19968

(Optional) Telephone/Email 302-684-0268

November 2, 2007

The Honorable Jennifer Davis
Director, OMB
Haslet Building
Dover, DE 19901

Russ Larson
Controller General
Legislative Hall
Dover, DE 19901

The Honorable John Hughes
Secretary, DNREC
89 Kings Highway
Dover, DE 19901

Arnetta McRae
Chair, Delaware PSC
861 Silver Lake Blvd
Dover, DE 19904

Dear Director Davis, Secretary Hughes, Controller General Larson and
Chairwoman McRae:

**I support the off-shore Blue Water Wind Farm and I
thank you for your previous endorsement.**

**I strongly urge you to direct the PSC to sit down as soon
as possible to negotiate a satisfactory compromise which
will lead to the development of the Blue Water Wind
Farm.**

I would appreciate a response. Thank you.

Signature

Jeffrey P. Cordiano

Print Name

JEFFREY P. CORDIANO

Address

720 RADIAL DRIVE

302 - 682 - 4624

Phone/E-mail

(optional)

Jeff_cordiano@yahoo.com

Date 3 Nov. 07

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904
Fax: (302) 739-4849
Email: arnetta.mcrae@state.de.us

Controller General's Office

Russell T. Larson, Controller General
P.O. Box 1401
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Very truly yours,
Name (s) _____

Daugdale (DALE)

Address _____

118 Schley Ave, Lewes DE 19958

Date 11/1/07

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Blvd
Cannon Building, Suite 100
Dover, DE 19904
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Very truly yours,
Name (s) _____



DALL
PAM ~~XXXXXXXXXX~~

Address Milford, DE

(Optional) Telephone/Email _____

Date 11-11-07

Delaware Public Service Commission

Arnetta McRae, Chair
861 Silver Lake Blvd
Cannon Building, Suite 100
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Very truly yours,

Name (s) Ursula Sabin Beaver-Kepner

Address P.O. Box 56, Milton, DE 19968-0056

(Optional) Telephone/Email ubeaverk@dtcc.edu

Dear Arnetta,

My name is Nick Fernandez. I am a Maryland resident and a frequent vacationer on the Delaware Beaches. I am writing to implore you with all my power as a concerned citizen to please allow negotiations to continue between Bluewater Wind and Delmarva Power.

When I heard about the proposed offshore wind farm in Delaware, I was extraordinarily excited. Such a project has the potential not only to benefit the citizens of Delaware and give the state a head start in meeting future CO₂ emissions reductions requirements, but also will set a precedent as the first offshore wind farm in all of North America. Delaware will be seen as a leader in clean energy and future offshore wind projects in the U.S. will use this as a model.

Please don't let such a great thing die.

Yours Truly,

Nick Fernandez

A stylized, handwritten signature of Nick Fernandez in dark ink, featuring a large, looping 'N' and 'F'.

DE Public Service Commission
861 Silver Lane Blvd.
Cannon Building, Suite 100
Dover, DE 19904

9 November 2007

Attention: Ms. Karen Nickerson, Secretary

Count me as giving the Commission a sustained vote for a contract with Bluewater Wind. The dialogue goes on and on about wind versus the traditional sources of power. My wife and I believe that now is the time for Delaware to stand up and set the pace for the Nation to really diversify and go greener for the planet in supporting a power source that will definitely help the environment. We welcome Bluewater Wind's wind farm, and believe it to be the emission free power source of the future. Wind should be used in conjunction with the other sources of traditional power to provide a stable mix of reliable power.

The cost of coal, natural gas and other fuels will certainly continue to escalate, as well as the costs to contain pollutants and hazardous emissions from the Delmarva Power plants. Plant maintenance costs and employee's salaries for Delmarva Power's facilities will also rise. Delmarva Power will certainly pass along all of these costs to users. I believe that Delmarva Power has not had "user's interests" at heart when they have constantly balked at the inclusion of wind power in a mix of providing reliable power to Delawareans. If necessary, my family will support extra costs for wind power, and help the longevity of the planet.

Now is not the time to cave in to Corporate power. We hope that the Public Service Commission remains steadfast to "alternative sources" and perseveres in ensuring that Delmarva Power is using a level playing field during these critical negotiations.

Thanks for the opportunity to support wind.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Kuhblank", written in a cursive style.

Richard Kuhblank
34 Osprey Lane
Ocean View, DE 19970

10-09-07

CARL DICKERSON
LEWES, DE

To Whom:

I think we should have a wind
farm. It will not cost the state more
than the MISTAKES AT the new bridge
At the Inlet.

Thank You

Carl Dickerson

20072 Plantations Rd

LEWES, DE. 19958

Carole Toomey
34953 Belle Rd.
Bethany Beach, DE 19930

Delaware Public Service Commission
Arnetta McRae, Chair
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904

Dear Ms. McRae,

For the sake of our children's health, and the future of our environment, please urge Delmarva Power to continue to negotiate with Bluewater Wind to provide our state with a source of clean safe energy

The citizens of Delaware could be proud to have the courage to be the first state to risk building off-shore wind power.

I find Delmarva Power's sudden concern about the cost of electricity to its' customers hypocritical, to say the least!

Thank you for your consideration in this matter.

Sincerely,



Carole Toomey

JOHN A. KOWALKO, JR.
STATE REPRESENTATIVE
Twenty-Fifth District



COMMITTEES
Education
Health & Human Development

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

Dear Ms. McRae, Ms. Davis, Mr. Larson, Mr. Hughes,

For years, as a citizen activist, I have represented the interests of all families in Delaware in trying to contain the exorbitant utility rate increases. I have paid particular attention to the most vulnerable, the seniors and low to moderate income working families, who are least likely to be able to afford these devastating energy cost increases and most likely to suffer the disastrous consequences such as eviction and foreclosures. As a duly elected State Representative my responsibility to these interests has become my sworn obligation. I am writing this letter to the PSC, OMB, Controller General and DNREC after giving many hours of thought and consideration to the "facts" and the law regarding the negotiations between Delmarva Power and Bluewater Wind.

I stress the word "facts" since it has become apparent, in reports and in my personal discussions with Delmarva officials, that they (Delmarva Power) have no intention of being truthful or honest in this debate. The ongoing campaign of misstatements, misrepresentation and utter falsehoods presented by Delmarva both publicly and surreptitiously, in my opinion, suggests that Delmarva Power does not and has never intended to negotiate in good faith and never intended to reach a negotiated agreement with BWV. It is therefore the obligation of the PSC to take charge, conclude the PPA and tell Delmarva Power they had their one chance at negotiation, and now that phase is done.

There are many compelling reasons for completing a PPA with Bluewater Wind. The consequence of not actively working to reduce greenhouse gases and toxic emissions by selecting alternative, renewable energy generation that offshore wind power provides would cause future generations to suffer irreversible health and environmental damages. These very real consequences have true economic impacts that were not included in the price calculation formulas but should be a matter for consideration by any responsible party. There are other economic impacts that are permitted for discussion however and one of the most important would be the need for long term price stability that only the wind farm can provide. The energy price projections presented as the basis for maintaining the status quo in future energy purchases for the SOS consumer is so lacking in credibility that it borders on the absurd. Price projections presented by the Federal Energy Information Administration purporting that natural gas prices will remain flat in today's dollars for the next 20 years is totally unrealistic and ignores the fact that the EIA made the same prediction ten years ago and natural gas prices tripled since then. The Independent Consultant's analysis does not present the full price risk we are likely to face in the next 30 years. The World Energy Outlook projects that overall energy demand, including natural gas, will increase by 55 percent by the year 2030. Demand for coal

134 N. Dillwyn Road, Newark, DE 19711
Home: 302-737-2396 Wilmington Office: 302-577-8342 Fax: 302-577-6701
Dover Office: 302-744-4296 Fax: 302-739-2313 John.Kowalko@state.de.us

PRINTED ON RECYCLED PAPER

STAPLES copy&printcenter

Complimentary Self-Serve Fax Cover Sheet

To: Attn. Arnetta McRaeFax #: 302 739 4849Date: 11/13/07Number of Pages (Including Cover): 3From: John KowalkoPhone #: 302 547 9351

Reply Fax #: _____

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**Dennis Spivack
112 Canterbury Drive
Wilmington, DE 19803**

November 13, 2007

VIA FACSIMILE and E-MAIL

Arnetta McRae, Chair
Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904

Russell T. Larson, Controller General
Controller General's Office
P.O. Box 1401
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Jennifer W. Davis, Director
Office of Management & Budget
Haslet Armory, Third Floor
122 William Penn Street
Dover, DE 19901

John Hughes, Secretary
Department of Natural Resources
89 Kings Highway
Dover, DE 19901

RE: Bluewater Wind Proposal

I want to add my support on behalf of those elected officials, appointed officials and citizens who have called upon the PSC to take control of the negotiations on behalf of Delmarva.

I am assuming that Bluewater Wind's ("Bluewater") revised proposal is now financially competitive following the removal of the onerous escalator provisions. But the dollar cost of the Bluewater proposal only measures part of the total cost. The other components which are equally important in terms of the long-term cost include the impact upon (i) our citizens, (ii) our environment, and (iii) our national energy policy.

At this point, I will refrain from reiterating all of the non-economic benefits of wind power. Those benefits have been eloquently stated by other supporters of the Bluewater proposal. The fact of the matter is that this Country and its traditional energy providers have refused to acknowledge the need for a comprehensive national energy policy dating back to the Carter Administration when the first alarm was sounded as to our over dependence upon foreign oil often located in hostile areas. It is imperative upon our leaders in government and industry, especially our energy providers, to acknowledge that all parties have ignored the warning signs for far too long.

To date, our leaders have only responded when there is a "crisis" such as the cost of gas exceeding \$3.25 per gallon or the approximately 60% to 120% increase in electric rates in this State following deregulation last year. This situation provides our leaders with an opportunity to undertake some long-term planning.

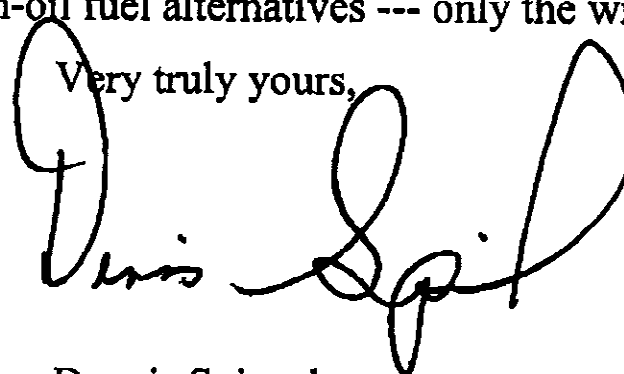
It is the reason in 2006 during my Congressional campaign that I called for a "Manhattan-type" project because this Country cannot wait a day longer to invest its resources in these new technologies. If the effort to develop these technologies had been encouraged starting in the 1970s, this Country would not be in this precarious situation when our reliance upon foreign oil has become one of the driving forces behind our foreign policy.

The rate increase last year has already created hardships upon families, retirees and small businesses just to name a few. I would have hoped that Delmarva would have embraced the Bluewater Proposal as a bold first step to signify Delmarva's commitment and vision to engage actively in the process of developing alternative fuels in the future.

Delmarva could have pledged to work with Bluewater in a partnership or alliance with the goal of continually seeking to improve this technology in an effort to lower the per unit cost.

If Delmarva is unwilling or unable to take this step at this time, then the only alternative is for the PSC to do so. The situation is becoming more urgent every day. If this Country could make the commitment to put a man on the moon, and did so, then this Country can establish the goal of expediting the development of non-oil fuel alternatives --- only the will is missing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis Spivack". The signature is fluid and cursive, with a large loop at the end.

Dennis Spivack
2006 Democratic Congressional Candidate

DRS/gca

Morris James LLP

FAX/DIGITAL IMAGE TRANSMITTAL SHEET

PLEASE DELIVER AS SOON AS POSSIBLE TO:

<u>Recipient</u>	<u>Company</u>	<u>Phone No.</u>	<u>Facsimile No.</u>
1. Arnetta McRae	Delaware Public Service Commission		(302) 739-4849
2. Russell T. Larson	Controller General's Office		(302) 739-3794
3. Jennifer W. Davis	Office of Management & Budget		(302) 739-5861
4. John Hughes	Department of Natural Resources		(302) 739-6242

From	Dennis Spivack	Date	November 13, 2007
Phone	302.888.6849	Client-Matter	099999-0753

Total number of pages including cover:
If you do not receive all pages, please call Grace Anagnostou at 302.888.6904

MESSAGE/REMARKS:

Please find attached a letter from Dennis Spivack dated November 13, 2007.

This communication may be subject to the attorney-client privilege or the attorney work product privilege or may be otherwise confidential. Any dissemination, copying or use of this communication by or to anyone other than the designated and intended recipient(s) is unauthorized. If you are not the intended recipient, please inform Morris James LLP by notifying the sender of this communication, and then destroy it immediately.

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500 Delaware Avenue, Suite 1500 | Wilmington, DE 19801-1494 T 302.888.6800 F 302.571.1750
Mailing Address P.O. Box 2306 | Wilmington, DE 19899-2306 www.morrisjames.com

BEFORE the STATE of DELAWARE:**Public Service Commission****Office of Management and Budget****Controller General's Office****Department of Natural Resources and Environmental Control****Correspondence of Record in the PUBLIC INTEREST****re: Proposed Bluewater Wind offshore electric generation project**

The stated policy of the Independent Party of Delaware is to advocate and work towards an open, sustainable and renewable post-carbon energy environment and economy for the benefit of the People of Delaware. It is a self-evident truth that the future belongs to food and energy producers. Accordingly, sustainable energy self-sufficiency is integrally linked to national, regional and local security. Likewise, a major avenue to lasting prosperity is predicated upon encouragement of innovative and environmentally compatible energy sources, and attendant R&D, manufacturing, derivative and service opportunities. Unfortunately, insufficient business incubators exist in the current politico-economic status quo as our current energy, infrastructural, economic development, agricultural, public health, environmental and educational policies are insufficiently coordinated and inadequately managed in the greater public interest.

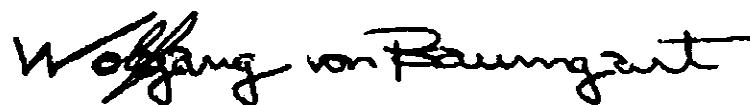
WE find it paradoxical that in the spirit of electric utility "deregulation" that the economic, environmental and public health aspects of conventional energy schemes are allowed relative immunity while innovative and ecologically sustainable sources are overregulated to the economic and social detriment of the people, thus raising a basic constitutional issue of equal protection under the law.

Accordingly, the Independent Party of Delaware supports Bluewater Wind's proposed offshore electricity generation project in its original configuration, encourages realistic cost reduction methods and policies and freely advocates removal of artificial and unnecessary barriers to true economic and energy progress.

Furthermore, we support integration of a wide array of sustainable and renewable energy sources including but not limited to: solar, tidal, oceanic, hydrogen, superconductive, magnetohydrodynamic and biomass systems towards a net energy export economy by fundamental revision of Delaware's public policies through greater public input for the long term benefit of all Delawareans.

Duly submitted this day of 13 November, 2007

By:

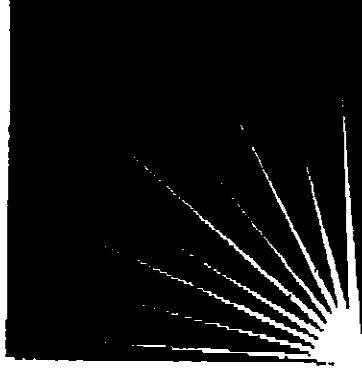


Wolfgang von Baumgart,

State Secretary
Independent Party of Delaware

37 Comanche Circle,
Millsboro, DE 19966

(302) 945-2646 ph/FAX

Clean Air Council

Arnetta McRae, Chair
Public Service Commission
861 Silver Lake Boulevard
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Dover, DE 19904

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Controller General
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Office of Management & Budget
Haslet Armory Third Floor
122 William Penn Street
Dover, DE 19901

John A. Hughes, Secretary
Department of Natural Resource
and Environmental Control
89 Kings Hwy
Dover, DE 19901

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

In the Matter of the Integrated Resource Planning for the Provision of Standard Offer Supply Services by Delmarva Power & Light Company under 26 Del.C. § 1007(c) and (d): REVIEW AND APPROVAL OF THE REQUEST FOR PROPOSALS FOR THE CONSTRUCTION OF NEW GENERATION RESOURCES UNDER 26 DEL. C. § 1007(d) PSC DOCKET NO. 06-241

COMMENTS OF CLEAN AIR COUNCIL

Clean Air Council submits the following comments in the above-captioned matter to the Term Sheets filed by Delmarva Power & Light ("DP&L") on September 14, 2007 on behalf of itself and Bluewater Wind, L.L.C. ("Bluewater"). The comments also pertain to the Public Service Commission Staff Report of October 29, 2007.

Clean Air Council is a non-profit public interest environmental organization dedicated to protecting everyone's right to breathe clean air. The Council has over 2,200 members in the State of Delaware.

The Term Sheets are the product of several months of extensive negotiations between DP&L and Bluewater in an effort to produce a Power Purchase Agreement that would

bring to fruition the Agencies' selection of the Offshore Wind Proposal in its order of May 22, 2007.

The Council firmly believes that the PSC and the Agencies should approve the revised Term Sheet for the Bluewater Wind proposal to sell 300 MW of wind energy to DP&L. This decision would be wholly supported under the law and in the best interests of the residents and ratepayers of Delaware, the concerns of PSC Staff notwithstanding. The PSC staff report contends that significant additional costs will be borne by ratepayers if the project were to proceed under the Term Sheets. The report states that the price per kilowatt hour given is higher than what was asserted in Bluewater's original proposal and staff objects strongly to a commodity price escalator that under certain circumstances would result in higher prices for ratepayers.

First, with regard to the per kilowatt hour charge set forth in the Term Sheets, it is not a fair criticism to imply that there is some sort of effort to slip additional profit into the deal. Bluewater has indicated from early on that the cost for which it could deliver this project would be affected by the approved size of the project. It is simple economics. The economies of scale with the approved 450 MW nameplate capacity wind farm are just not the same as the original 600 MW proposal. Given the reduction, it is only natural and seems quite reasonable for the end consumer price to adjust slightly upward in the Term Sheets.

Second, while the price escalator seemed designed to provide a modicum of protection to Bluewater in the event that commodity prices rose prior to construction, and was not inherently unreasonable, it has since been removed by Bluewater in good faith. The removal of the price escalator demonstrates Bluewater's willingness to accept considerably more risk than other bidders in order to provide price stable energy throughout the contract term.

With the removal of the price escalator, the major objection set forth in the PSC Staff report of October 29 has been eliminated, and therefore the report no longer provides any reasonable basis upon which to reject the Term Sheet and turn away from the offshore wind generation bid that the PSC and the Agencies accepted in the May 22, 2007 Order.

The benefits of this clean electric generation project far exceed any concern raised regarding price increases for Standard Offer Service ("SOS") electricity. As the enabling legislation for this entire process made clear, price stability and innovative and environmentally preferable generation technologies are critical attributes for the type of new electric generation the legislature has sought to create in Delaware. (See "EURCSA," 26 Del.C. § 1007). The offshore wind project achieves these goals handily. With exception for a typical inflation adjustment, the price of power from the wind project remains constant over the 25-year life of the project, insulating Delaware ratepayers from the whims of the volatile fossil fuel markets, particularly natural gas. Assumptions about reasonable future costs for coal is also highly speculative given the national and international imperatives to aggressively reduce carbon dioxide emissions in coming decades. This process has already begun, as the State of Delaware is a

participant in the Regional Greenhouse Gas Initiative, and is currently developing a regulation to design the auction of carbon allowances from emission sources in the state to join the Mid-Atlantic and Northeastern market. Obtaining carbon allowances is likely to become a considerable cost of doing business, and may ultimately have a deterrent effect on the running or siting of fossil fuel fired power plants. Carbon taxes are also a possibility, which would penalize fossil fuel generation as well. DP&L will also need to acquire an increasing amount of Renewable Energy Certificates ("RECs") in order to satisfy the requirements of Delaware's Renewable Portfolio Standard. By contrast, the offshore wind project will pay none of these costs. Rather, its stable price will reflect the benefit of receiving payment for the RECs that it creates.

In addition to price stability, the environmental benefits of the wind project are astounding. The facility creates *zero* emissions in its operation, and there are no post-manufacture emissions associated with fuel acquisition, unlike fossil fuels with the considerable pollution and environmental damage caused by extraction and delivery. The annual pollution displacement capability for a wind facility of this size will be in the tens of thousands of tons of conventional air pollution and millions of tons of carbon dioxide. The elimination of a large amount of carbon is of great benefit to the global climate and especially in Delaware where rising sea levels later in the Century are expected to deprive the State of some of its most economically productive land.

The prevention of harmful pollutants like sulfur dioxide, nitrogen oxide and particulate matter from entering Delaware's airshed and thus the lungs of its residents through this project has real value in human health terms as well. Indeed, some have estimated a \$750 million dollar savings in health care costs over the life of the wind project. That is an economic factor that should have been part of the cost analysis by Staff.

It is worth mentioning that by siting perhaps the first and largest offshore wind project in the Nation here in Delaware, the prospects for economic development and jobs in this important new industry are strong.

At the end of the day, the modest monthly price increases that would be absorbed by ratepayers under these Bluewater-DP&L Term Sheets are well worth the value obtained through price stability, environmental benefits, health benefits, and economic stimulus here in Delaware.

The one change the Council does recommend to the project, by virtue of coming upon this information recently, is to reconsider the inclusion of natural gas back-up for the Wind Project. The Council now understands that there are two natural gas power stations in Sussex and Kent Counties which are on standby but remain idle for the vast majority of the year. These units, which total some 350 MW of capacity, could appropriately serve the needs of DP&L customers at such times that wind energy deliveries are reduced due to weather conditions. Furthermore, the Council has also learned that the majority of electric power consumed in Delaware is generated out of state. To the extent that there may be issues in the future that would limit continued growth of that portion of Delaware's energy portfolio due to the existing transmission network, such concerns

appear to be adequately assuaged through the recent approvals concerning the Mid-Atlantic Power Pathway, a transmission expansion and upgrade project that would bring substantial new transmission capacity through Delaware. Given the factors we set forth here, the Council urges the natural gas back-up aspect of this project be placed on hold. If in the future it appears there would be true need for additional back-up, the issue can be re-visited, but at this time the Council concludes it would not be reasonable nor prudent to go forward with natural gas.

The Council also incorporates by reference the Recommendations on Term Sheets submitted by Firestone and Kempton on November 12, 2007.

Clean Air Council appreciates the opportunity to comment upon this very important matter and urges the Agencies to continue to hold the public interest above entrenched special interests and facilitate the completion of an Agreement that will bring clean renewable power to Delaware.

Respectfully submitted,



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Executive Director

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